

Andrew Case

From: Zuckerman, Mark (Law) <mzuckerm@law.nyc.gov>
Sent: Monday, January 22, 2024 10:13 AM
To: Andrew Case
Cc: Meena Oberdick
Subject: RE: [EXTERNAL] Reyes v. City of New York - Request for Consent to Amend Complaint

Ok. All we are consenting to is your filing of the amended complaint.

From: Andrew Case <acase@latinojustice.org>
Sent: Monday, January 22, 2024 10:11 AM
To: Zuckerman, Mark (Law) <mzuckerm@law.nyc.gov>
Cc: Meena Oberdick <moberdick@latinojustice.org>
Subject: RE: [EXTERNAL] Reyes v. City of New York - Request for Consent to Amend Complaint

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If you need fourteen days from today in order to provide your consent to the amendment you may have it.

Andrew Case | Supervising Counsel

(He/Him/His)

D: 212.739.7506



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From: Zuckerman, Mark (Law) <mzuckerm@law.nyc.gov>
Sent: Monday, January 22, 2024 10:09 AM
To: Andrew Case <acase@latinojustice.org>
Cc: Meena Oberdick <moberdick@latinojustice.org>
Subject: RE: [EXTERNAL] Reyes v. City of New York - Request for Consent to Amend Complaint

When would the 14 day period to respond to the complaint run from?

From: Andrew Case <acase@latinojustice.org>
Sent: Monday, January 22, 2024 10:06 AM
To: Zuckerman, Mark (Law) <mzuckerm@law.nyc.gov>
Cc: Meena Oberdick <moberdick@latinojustice.org>
Subject: RE: [EXTERNAL] Reyes v. City of New York - Request for Consent to Amend Complaint

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Mark,

Andrew Case | Supervising Counsel

(He/Him/His)

D: 212.739.7506



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I spoke with the clerk's office on Friday and they confirmed that they do not want me to re-file the complaint. They want me to file your consent as an exhibit in the process set forth in the email attached, which will relate to the complaint currently on ECF and reduce duplication.

Please respond to my original email if you consent to the process that the clerk's office proposed. Otherwise I will move to amend and note your objection.

Thank you,

Andrew

om: Zuckerman, Mark (Law) <mzuckerm@law.nyc.gov>

Sent: Monday, January 22, 2024 9:54 AM

To: Andrew Case <acase@latinojustice.org>

Cc: Meena Oberdick <moberdick@latinojustice.org>

Subject: RE: [EXTERNAL] Reyes v. City of New York - Request for Consent to Amend Complaint

Andrew,

We are willing to consent to the filing (only) of the amended complaint in the form that you forwarded to me on Friday. We preserve all other rights, including the right to make any Rule 12 motion once the amended complaint is properly filed and in the time frame allowed by the Federal Rules of Civil Procedure. However, our consent is expressly contingent upon agreement to a stipulation to be filed, and your re-filing of the amended complaint—this time properly—as what you filed last Thursday was deficient. If this is agreeable, please draft a stipulation and forward it to me for review.

Thanks,

Mark

From: Andrew Case <acase@latinojustice.org>

Sent: Saturday, January 20, 2024 11:33 AM

To: Zuckerman, Mark (Law) <mzuckerm@law.nyc.gov>

Cc: Meena Oberdick <moberdick@latinojustice.org>; Corsi, Alexandra (Law) <acorsi@law.nyc.gov>

Subject: RE: [EXTERNAL] Reyes v. City of New York - Request for Consent to Amend Complaint

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Mark,

I have a very busy day on Monday and if I do not hear from you by 9:00 Monday morning I will have to go ahead and spend time drafting a motion for leave to amend.

I therefore will presume that if you do not send me consent by 9:00 Monday morning to file the Amended Complaint, I will draft a motion.

I'd like to remind you that the content of the Amended Complaint was disclosed at the Rule 16 Conference (as Ms. Corsi, copied, can confirm), you have sought (and received) significant extensions to deadlines based on the fact that you anticipated this filing, and that you have already reviewed the complaint and sought leave to draft an overlong brief based on that review.

Please confirm by 9:00 on Monday whether you consent to the filing of the Amended Complaint. If I don't hear from you I will decide whether to move for leave to file or move to have the original deadlines reinstated.

Thank you,

Andrew

Andrew Case | Supervising Counsel
(He/Him/His)
D: 212.739.7506



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From: Zuckerman, Mark (Law) <mzuckerm@law.nyc.gov>
Sent: Friday, January 19, 2024 4:41 PM
To: Andrew Case <acase@latinojustice.org>
Cc: Meena Oberdick <moberdick@latinojustice.org>
Subject: RE: [EXTERNAL] Reyes v. City of New York - Request for Consent to Amend Complaint

I could be wrong, but I think you will have to file the amended complaint again, this time correctly. I will get back to you ASAP re consent.

From: Andrew Case <acase@latinojustice.org>
Sent: Friday, January 19, 2024 4:40 PM
To: Zuckerman, Mark (Law) <mzuckerm@law.nyc.gov>
Cc: Meena Oberdick <moberdick@latinojustice.org>
Subject: RE: [EXTERNAL] Reyes v. City of New York - Request for Consent to Amend Complaint

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No I sent you the version that was filed yesterday and if you consent I am going to just file your consent and relate it to the filing we made.

Andrew Case | Supervising Counsel

(He/Him/His)

D: 212.739.7506



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From: Zuckerman, Mark (Law) <mzuckerm@law.nyc.gov>

Sent: Friday, January 19, 2024 4:38 PM

To: Andrew Case <acase@latinojustice.org>

Cc: Meena Oberdick <moberdick@latinojustice.org>

Subject: RE: [EXTERNAL] Reyes v. City of New York - Request for Consent to Amend Complaint

Did you make any changes?

From: Andrew Case <acase@latinojustice.org>

Sent: Friday, January 19, 2024 4:34 PM

To: Zuckerman, Mark (Law) <mzuckerm@law.nyc.gov>

Cc: Meena Oberdick <moberdick@latinojustice.org>

Subject: [EXTERNAL] Reyes v. City of New York - Request for Consent to Amend Complaint

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Dear Mark,

As discussed, please let me know whether Defendant consents to yesterday's filing of an Amended Complaint. For your convenience, I am attaching the complaint and the redline from the docket as filed. If you consent, I will file the consent according to the instructions the clerk entered on the docket. I will not be re-filing the Amended Complaint.

Thank you.

Andrew

Andrew Case | Supervising Counsel

(He/Him/His)

D: 212.739.7506



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